



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Approving Payment of Wastewater Capacity Impact Mitigation Fees for Central Plume PCE/TCE Groundwater Clean-Up and Appropriating Funds (\$1,784,189)

MEETING DATE: March 16, 2011

PREPARED BY: Public Works Director

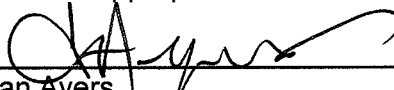
RECOMMENDED ACTION: Adopt resolution approving payment of wastewater capacity impact mitigation fees for Central Plume PCE/TCE groundwater clean-up and appropriating funds in the amount of \$1,784,189.

BACKGROUND INFORMATION: On March 17, 2010, City Council awarded the contract for the Central Plume PCE/TCE Interim Remedial Measures Project to Diede Construction, Inc. During the past year, the design and permitting has been completed and the construction is nearing completion. The treated groundwater from the facilities will be discharged to the wastewater system until such time the California Public Health Department grants permission to the City to include this water as part of the potable system. The duration of the discharge to the wastewater system is unknown.


Dischargers to the wastewater system are required to pay the wastewater capacity impact mitigation fee based upon the volume and characteristics of the discharge. Payment of the fee is a building permit condition and shall be made prior to startup of the facilities. The fee has been calculated to be \$1,784,189. Funding for the fee payment comes from court-approved settlements with the potentially liable parties. When the discharge to the wastewater system is concluded, the fee may be refunded to the Central Plume funds.

FISCAL IMPACT: Wastewater Impact Mitigation Fee Fund 173 receives needed funds.

FUNDING AVAILABLE: Requested Appropriation: Central Plume (190) - \$1,784,189



Jordan Ayers
Deputy City Manager/Internal Services Director



F. Wally Sandelin
Public Works Director

FWS/pmf

APPROVED: 

Konradt Bartlam, City Manager

2. JV# _____

CITY OF LODI APPROPRIATION ADJUSTMENT REQUEST
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TO: Internal Services Dept. - Budget Division

3. FROM:	Rebecca Areida-Yadav	5. DATE:	02/18/2011
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5. DATE: 02/18/2011

02/18/2011

4. DEPARTMENT/DIVISION: Public Works/Administration

6. REQUEST ADJUSTMENT OF APPROPRIATION AS LISTED BELOW

	FUND #	BUS. UNIT #	ACCOUNT #	ACCOUNT TITLE	AMOUNT
A. SOURCE OF FINANCING	190		3205	Fund Balance	\$ 1,784,189.00
B. USE OF FINANCING	190	190121	1836.2300	PCE IRM Remedial Measures	\$ 1,784,189.00

7. REQUEST IS MADE TO FUND THE FOLLOWING PROJECT NOT INCLUDED IN THE CURRENT BUDGET

Please provide a description of the project, the total cost of the project, as well as justification for the requested adjustment. If you need more space, use an additional sheet and attach to this form.

On March 17, 2010 the City Council awarded the contract for the Central Plume PCE/TCE Remedial Measures project. During the past year the design and permitting has been completed and the constructin is nearing completion. The treated groundwater from the facilities will be discharged to the wastewater system. Dischargers to the wastewater system are required to pay the wastewater capacity impact mitigation fee. Payment of the fee is a buliding permit condition and shall be made prior to startup of the facilities.

If Council has authorized the appropriation adjustment, complete the following:

Meeting Date: _____ Res No: _____ Attach copy of resolution to this form

Department Head Signature: Chell

8. APPROVAL SIGNATURES

Derby, Ct. 11/11/1911
Date

Submit completed form to the Budget Division with any required documentation.
Final approval will be provided in electronic copy format.

RESOLUTION NO. 2011-32

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING PAYMENT OF WASTEWATER CAPACITY
IMPACT MITIGATION FEES FOR CENTRAL PLUME
PCE/TCE GROUNDWATER CLEAN-UP AND FURTHER
APPROPRIATING FUNDS

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WHEREAS, on March 17, 2010, the City Council awarded the contract for the Central Plume PCE/TCE Remedial Measures Project to Diede Construction, Inc., and the construction is nearing completion. The treated groundwater from the facilities will be discharged to the wastewater system until such time the California Public Health Department grants permission to the City to include this water as part of the potable system; and

WHEREAS, dischargers to the wastewater system are required to pay the wastewater capacity impact mitigation fee based upon the volume and characteristics of the discharge. Payment of the fee is a building permit condition and shall be made prior to startup of the facilities. The fee has been calculated to be \$1,784,189; and

WHEREAS, when the discharge to the wastewater system is concluded, the fee may be refunded to the Central Plume funds.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve payment of wastewater capacity impact mitigation fees for Central Plume PCE/TCE groundwater clean-up in the amount of \$1,784,189; and

BE IT FURTHER RESOLVED that funds in the amount of \$1,784,189 be appropriated from the Central Plume Fund for this payment.

Dated: March 16, 2011


I hereby certify that Resolution No. 2011-32 was passed and adopted by the City Council of the City of Lodi in a regular meeting held March 16, 2011, by the following vote:

AYES: COUNCIL MEMBERS - Hansen, Katzakian, Mounce, Nakanishi,
and Mayor Johnson

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None


RANDI JOHL
City Clerk